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OFFICE OF PETITIONS

In re Application of :
Sheynblat : DECISION ON PETITION
Application No. 10/769,421 :
Filed: January 30, 2004 :
Docket No.: 000740CIPD1 :

This decision is in response to the petition renewed under 37 CFR 1.137(b) filed April 25, 2006.

The petition is hereby **DISMISSED**.

This application became abandoned July 28, 2005 for failure to timely submit a proper reply to the Notice of Allowability ("Notice") mailed April 27, 2005. The Notice set a three month statutory period of time for reply. Notice of Abandonment was mailed October 19, 2005. A petition under 37 CFR 1.181 was filed January 26, 2006 and dismissed February 21, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(1); (3) a showing to the satisfaction of the Director that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

The instant petition is not accompanied by the required petition fee. Authorization to charge the required petition fee is not given in the petition as submitted. As submission of petition fee is a prerequisite for treatment on the merits of any petition submitted under 37 CFR 1.137(b), the petition is subject to dismissal.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop Petition
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By hand delivery: U.S. Patent and Trademark Office
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Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



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